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JOHN R. WILNER  
DIRECT DIAL NUMBER  
(202) 508-6041

## BRYAN CAVE LLP

700 THIRTEENTH STREET, N.W.  
WASHINGTON, D.C. 20005-3960  
(202) 508-6000  
FACSIMILE: (202) 508-6200

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INTERNET ADDRESS  
JRWILNER@BRYANCAVELLP.COM

February 4, 1997

William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

RECEIVED

FEB 4 1997

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

Re: FM Table of Allotments

Dear Mr. Caton:

Transmitted herewith on behalf of Gallatin Valley Witness, Inc. are the original and four copies of its Petition for Rule Making which looks toward the allotment of FM Channel 256A to Belgrade, Montana.

Should there be any questions concerning the Petition, please communicate with the undersigned.

Very truly yours,



John R. Wilner  
Counsel for Gallatin Valley Witness, Inc.

jrw/vih

Enclosures

jrw/094198.34301v1

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BEFORE THE  
Federal Communications Commission

WASHINGTON, D.C. 20554

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In the Matter of )  
 )  
Amendment of Section 73.202(b) ) RM \_\_\_\_\_  
Table of Allotments ) Docket No. \_\_\_\_\_  
FM Broadcast Stations )  
Channel 256A (99.1 MHz) )  
Belgrade, Montana )

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FEB 4 1997

To: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

FEDERAL COMMUNICATIONS COMMISSION

**PETITION FOR RULE MAKING**

Gallatin Valley Witness, Inc. ("Petitioner"), by its attorney, pursuant to Section 1.401 of the Commission's Rules, hereby requests the Commission to amend Section 73.202(b) of its Rules, the FM Table of Allotments, to allot Channel 256A (99.1 MHz) to Belgrade, Montana as its second FM channel. In support thereof, the following is shown.

1. Attached hereto is an Engineering Report prepared by the consulting firm of E. Harold Munn, Jr. & Associates, Inc., which demonstrates that Channel 256A may be allotted to Belgrade, Montana without a site restriction and in full compliance with the Commission's minimum distance separation requirements.

2. Belgrade is located in Gallatin County, Montana. Belgrade has a 1990 U.S. Census population of 3,411; Gallatin County has a U.S. 1990 Census population of 50,463. Only one FM broadcast station is currently licensed to Belgrade. The proposed allocation will, therefore, advance the objectives of Section 307(b) of the Communications Act of 1934, as amended, and the Commission's FM allocation policies.

3. Petitioner hereby states that if the Commission assigns Channel 256A to Belgrade as proposed herein, it will apply for the channel, and, if its application is granted, Petitioner will promptly build the station.

WHEREFORE, for the foregoing reasons, Petitioner respectfully requests the Commission to grant this petition and to allot Channel 256A to Belgrade, Montana.

Respectfully submitted,

GALLATIN VALLEY WITNESS, INC.

By John R. Wilmer  
Its Attorney

Bryan Cave LLP  
700 Thirteenth Street, N.W.  
Suite 600  
Washington, D.C. 20005  
(202) 508-6000

Dated: February 4, 1997

34259v1

**ENGINEERING REPORT**

**Petition for Rulemaking  
Amend FM Table of Allotments  
To Add Channel 256(A)  
Belgrade, Montana**

**January 1997**

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**E. Harold Munn, Jr. & Associates, Inc.**  
Broadcast Engineering Consultants  
Coldwater, MI 49036

## ENGINEERING STATEMENT

### In Support of a Petition To Amend §73.202(b)

The firm of E. Harold Munn, Jr. & Associates, Inc., was retained to prepare this Engineering Statement in support of a petition to amend 47 C.F.R. Section 73.202(b), the FM Table of Allotments.

It is proposed to amend the Table to add Channel 256(A), 99.1 MHz for use at Belgrade, Montana as the second FM channel in that community. The reference point for the city meets the spacings of §73.207(b) (1) (2). A large open area exists where a transmitter site may be located.

Data contained in this report is responsive to the requirements of the Rules, as amended.

Figure 1 is a pertinent portion of the computer study which demonstrates that, at the reference point listed, and for the class of station proposed, all the required separations are fully met for the allotment of Channel 256(A).

The Belgrade city reference point was considered for the study at NL 45°46'40"; WL 111°10'39". This is a point proximate to the city from which the 3.16 mV/m (70 dBu) contour of the proposed facility would encompass the entire community.

It is requested that 47 C.F.R. §73.202(b) be amended as follows.

<u>CITY, STATE</u>	<u>PRESENT</u>	<u>PROPOSED</u>
Belgrade, MT	244C3	244C3, <u>256A</u>

CERTIFICATION

This Engineering Statement was prepared by the undersigned, a member of the staff of E. Harold Munn, Jr. & Associates, Inc., Broadcast Engineering Consultants, with offices at 100 Airport Drive, Coldwater, Michigan 49036-0220.

I hereby certify the contents of this Engineering Statement to be true and accurate to the best of my knowledge and belief. My qualifications are a matter of record before the Federal Communications Commission.

Dated this 31st day of January, 1997

by

  
Wayne S. Reese, President

E. Harold Munn, Jr. & Associates, Inc.  
P. O. Box 220  
Coldwater, MI 49036-0220

Phone: (517) 278-7339  
Fax: (517) 278-6973

FIGURE 1

Page 1 of 2

E. Harold Munn Jr. & Associates Inc.  
P.O. Box 220 - Coldwater MI 49036

Class A Spacing Study  
Belgrade Montana City Reference Point

REFERENCE		CLASS = A	DISPLAY DATES
45 46 40 N		Current Spacings	DATA 01-24-97
111 10 39 W			SEARCH 01-30-97
----- Channel 256 - 99.1 MHz -----			

Call	Channel	Location	Power	Dist	Azi	FCC	Margin
N. Lat.	W. Lng.				HAAT		
CP254	CP 254C2	Ennis	MT	62.67	223.5	55.0	7.67
45 22 05	111 43 45	CN	50.000 kW		62 M		
	Frank K. Spain				BPH950417ML	960919	
KBLLFM	LI 258C1	Helena	MT	128.10	329.8	75.0	53.10
46 46 12	112 01 22	C CN	30.000 kW		241 M		
	Holter Broadcasting Corporati				BLH841107KK	921004	
KUPI	LI 256C1	Idaho Falls	ID	254.64	192.9	200.0	54.64
43 32 33	111 53 04	CN	100.000, kW		176 M		
	Communications Investment Cor				BLH851101KB	880427	
KAAK	LI 255C1	Great Falls	MT	196.04	357.6	133.0	63.04
47 32 23	111 17 06	C CN	100.000 kW		147 M		
	Sunbrook Communications, L.P.				BLH950927KD	960124	

FIGURE 1

E. Harold Munn Jr. & Associates Inc. P.O. Box 220 - Coldwater MI 49036

